

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

STEPHEN BARRY GIBBONS,)
Plaintiff,)
v.) Civil No. 21-1210
SABANDA, *Imam SCI-Greene*)
Defendant.)

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rule 72 of the Local Rules for Magistrate Judges. On June 26, 2024, the Magistrate Judge issued a Report and Recommendation, ECF No. 93, addressing a Motion to Dismiss filed by Defendant Sabanda. The Magistrate Judge recommended that the Motion to Dismiss, ECF No. 88, be denied. The parties were informed that Objections were due by July 10, 2024, for ECF registered users, and by July 15, 2024, for non-registered ECF users. No Objections have been filed.

After *de novo* review of the pleadings and the documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 24th day of July 2024, it is ORDERED that the Report and Recommendation, ECF No. 93, filed on June 26, 2024, recommending denying Defendant Sabanda's Motion to Dismiss, is adopted as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant Sabanda's Motion to Dismiss, ECF No. 88, is DENIED.

This matter is remanded back to the Magistrate Judge for further proceedings.

s/Marilyn J. Horan
Marilyn J. Horan
United States District Court Judge

Stephen Barry Gibbons, pro se
JS-2304
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